

Application Number 10/615,336
Amendment dated 10 November 2005
Reply to Office Action of 10 August 2005

Remarks

Claims 10, 11, 15 and 21–23 have been cancelled, and new claims 25–37 have been added. Therefore, Claims 12–14, 18 and 24–37 are currently pending in this application. Claims 24, 25, 28 and 32 are independent. Applicants thank the Examiner for indicating that Claims 18 and 24 are allowed.

Interview Summary.

Applicants thank the Examiner for conducting a personal interview in this application on 4 November 2005. The following summarizes the substance of the interview, in accordance with the guidelines provided by MPEP 713.04.

- (A) No exhibits were shown, and no demonstration was conducted.
- (B) Claims 10 and 21–24 were discussed, as well as two proposed new claims (presented herein as new Claims 25 and 28).
- (C) U.S. Patent 6,125,291 ("Miesel"), U.S. Patent 6,671,531 ("Al-Ali"), and U.S. Patent 5,888,230 ("Helmy") were discussed.
- (D) The principal proposed amendments of a substantive nature are presented herein in the "Amendments to the Claims".
- (E) Applicants discussed amended claim language to distinguish the claimed invention from the cited references.
- (F) No other pertinent matters were discussed.
- (G) Applicants and Examiner agreed that the proposed new claims overcome the rejections based on Miesel and Al-Ali.

Claim Rejections based on 35 U.S.C. § 102.

Claims 10, 11, 14, 15 and 23 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Al-Ali. Claims 10, 11, 15 and 23 have been cancelled. Claim 14 has been amended to depend from new Claims 25 or 28, which are discussed below. Therefore, Applicants respectfully request that the claim rejections based on Al-Ali be withdrawn.

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Claims 10–15 and 21–23 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Miesel. Claims 10, 11, 15 and 21–23 have been cancelled. Claims 12–14 have been amended to depend from new Claims 25 or 28, which are discussed below. Therefore, Applicants respectfully request that the claim rejections based on Miesel be withdrawn.

New Claims 25–37.

New Claims 25 and 28, which are independent, were proposed during the personal interview on 4 November 2005. The Examiner has acknowledged that these new claims are distinguishable from Al-Ali and Miesel. New Claims 26 and 27 depend from Claim 25, and new Claims 29–31 depend from Claim 28.

New Claims 32–37 have also been added. Independent Claim 32 recites:

Claim 32 (new): An apparatus comprising:
an inner liner having an elongate sleeve with a cavity configured to receive a residual limb of an amputee;
an outer liner positioned over the inner liner and having an exterior surface configured to receive a socket thereover;
a sensor configured to receive physiological data from the residual limb, the sensor positioned between the inner liner and the outer liner.

This combination of elements is neither taught nor suggested by any of the references of record, regardless of whether taken individually or in combination. Therefore, Applicants respectfully submit that Claim 32, as well as Claims 33–37 which depend therefrom, are allowable.

Conclusion.

Applicants respectfully submit that the claims are in condition for allowance. Furthermore, any remarks in support of patentability of one claim should not be imputed to any other claim, even if similar terminology is used. Applicants respectfully traverse each of the Examiner's rejections and each of the Examiner's assertions regarding what the prior art shows or teaches, even if not expressly discussed herein. Although changes to the claims have been made, no acquiescence or estoppel is or should be implied thereby; such amendments are made only to expedite prosecution of the present application and are without prejudice to the presentation or assertion, in the

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future, of claims relating to the same or similar subject matter. If some issue remains that the Examiner feels can be addressed by an Examiner's Amendment, the Examiner is cordially invited to call the undersigned for authorization.

Respectfully submitted,

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